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Economic and Social Council

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Committee on Economic, Social and Cultural Rights

Concluding observations on the initial report of Namibia*

1. The Committee on Economic, Social and Cultural Rights considered the initial report of Namibia on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/NAM/1) at its 3rd, 4th and 5th meetings (E/C.12/2016/SR.3-5), held on 23 and 24 February 2016, and adopted the following concluding observations at its 20th meeting, held on 4 March 2016.

A. Introduction

2. The Committee welcomes the submission, although with considerable delay, of the initial report of the State party, the submission of the common core document (HRI/CORE/NAM/2014) and the submission of the written replies to the list of issues (E/C.12/NAM/Q/1/Add.1). The Committee also appreciates the frank and constructive dialogue that it had with the State party's delegation. Moreover, the Committee welcomes the additional information submitted in writing after the dialogue.

B. Positive aspects

3. The Committee welcomes the legislative, institutional and policy measures taken to promote economic, social and cultural rights in the State party, including:

(a) The adoption of the Human Rights Action Plan (2015-1019);

(b) The extension of free education to the secondary level since January 2016;

(c) The provision of the old age pension grant to all older persons;

(d) The allocation of a considerable share of the public budget to social sectors and the introduction of gender-responsive budgeting;

(e) The increase in women's representation in elected bodies;

(f) The establishment of a school of medicine;

(g) The expanded immunization programmes that have led to the eradication of measles, neonatal tetanus and polio.

* Adopted by the Committee at its fifty-seventh session (22 February-4 March 2016).

C. Principal subjects of concern and recommendations

Status of economic, social and cultural rights

4. The Committee notes with concern that several economic, social and cultural rights are not recognized among the fundamental rights and freedoms protected in the Constitution of the State party. The Committee is concerned that, as such, they cannot be enforced through the means provided in article 25 of the Constitution, are not accorded constitutional supremacy in the State party's legal order and are also not formally part of the mandate of the Ombudsman (art. 2 (1)).

5. **The Committee recommends that the State party include all Covenant rights in the fundamental rights and freedoms protected in the Constitution.**

Justiciability of the Covenant rights

6. The Committee notes with concern the absence of jurisprudence invoking the Covenant rights, in spite of the fact that, under the State party's monist system, the Covenant forms part of its domestic law. The Committee is also concerned at the lack of awareness of the Covenant rights among the general public, public officials and legal professionals (art. 2 (1)).

7. **The Committee recommends that the State party raise awareness of the Covenant rights and their justiciability among the general public, public officials, the judiciary and legal professionals, including through training programmes for them. The Committee also recommends that human rights be taught at all levels of education. The Committee refers the State party to its general comments No. 3 (1990) on the nature of States parties' obligations and No. 9 (1998) on the domestic application of the Covenant.**

Access to justice

8. The Committee is concerned that, under the new protocol on the Southern African Development Community Tribunal, the State party, which is home to the Tribunal, has, together with the other members of that Community, removed the right of access of natural and legal persons to the Tribunal (art. 2 (1)).

9. **The Committee recommends that the State party reconsider its position and take the initiative in promoting the reinstatement of the right of access of natural and legal persons to the Tribunal under the new protocol, with a view to providing the citizens of the member States of the Southern African Development Community the right to assert and vindicate their human rights, including economic, social and cultural rights.**

Office of the Ombudsman

10. Notwithstanding the activities undertaken by the Ombudsman and the A(R) status granted by the International Coordinating Committee of National Institutions for the Protection and Promotion of Human Rights to the Office of the Ombudsman, the Committee notes with concern that the Ombudsman Act of 1990: (a) does not specify the duration of the term of the Ombudsman; (b) mandates the Ombudsman primarily with investigative duties and functions; (c) provides for the placement of public service officers as staff of the Ombudsman; and (d) does not specify the source of budget of the Ombudsman (art. 2 (1)).

11. **The Committee recommends that the State party amend the Ombudsman Act of 1990 in full accordance with the principles relating to the status of national**

institutions for the promotion and protection of human rights (the Paris Principles), namely:

(a) **Broaden the mandate of the Ombudsman: in that regard, the Committee draws the attention of the State party to its general comment No. 10 (1998) on the role of national human rights institutions in the protection of economic, social and cultural rights;**

(b) **Introduce a limitation on the term of the Ombudsman;**

(c) **Give the Ombudsman the power to select, recruit and remunerate his or her own staff;**

(d) **Specify the source of the funds to cover the expenditures of the Office.**

12. **The State party should also ensure that the provision for a tribunal to investigate the misconduct of the Ombudsman, introduced by the 2014 constitutional amendment, will strengthen the independent mandate and functioning of the Ombudsman.**

Human rights impact assessment

13. While noting the publication in 2012 of notice No. 29 listing the activities subject to environmental clearance, the Committee expresses concern at the absence of legislation requiring a human rights impact assessment to be conducted for activities such as waste management, mining and quarrying activities, land use and development activities, among others (art. 2 (1)).

14. **The Committee recommends that the State party enact legislation requiring a priori and a posteriori assessment of the impact of activities similar to those enumerated in the 2012 notice No. 29, including on the right to work, the right to health, the right to an adequate standard of living and the cultural rights of the affected individuals and groups, before the issuance of clearance certificates.**

Rights of indigenous peoples

15. While noting that the State party has expressed its intention to ratify the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), the Committee is concerned that the State party's legislation does not recognize communities that have self-identified as indigenous peoples. The Committee is also concerned that indigenous peoples' traditional uses and occupation of land are not recognized and protected (arts. 1 (2) and 15).

16. **The Committee recommends that the State party:**

(a) **Adopt a law recognizing indigenous peoples on the basis of self-identification and protecting their rights, including the right to ownership of the lands that they traditionally occupy or use as sources of livelihood and the respect of their free, prior and informed consent in decision-making processes affecting their rights and interests;**

(b) **Ensure the respect of the principle of obtaining free, prior and informed consent in development projects, such the construction of a dam in the Baynes Mountains;**

(c) **Implement the recommendations made by the Special Rapporteur on the rights of indigenous peoples following his visit to Namibia in 2012 (see A/HRC/24/41/Add.1);**

(d) **Expedite the ratification of ILO Indigenous and Tribal Peoples Convention No. 169.**

San communities

17. The Committee notes with concern that the San communities remain disadvantaged in the enjoyment of economic, social and cultural rights, in spite of the San Development Programme, implemented since 2005 (art. 2 (2)).

18. **The Committee recommends that the State party act upon the findings of the reassessment of the status of the San in Namibia, especially as regards the design and implementation of an integrated strategy, specific policies on disadvantaged communities and the allocation of the resources necessary. The Committee recommends that the San communities be consulted and involved in the formulation of programmes and implementation of projects benefiting them. The Committee also recommends that the State party monitor the impact of measures taken on the enjoyment of the Covenant rights by the San communities.**

Persons with disabilities

19. The Committee is concerned that children with disabilities are disadvantaged in accessing education and that very few persons with disabilities are engaged in gainful employment, as a result of a lack of both enabling policies and resources. The Committee is also concerned that barriers to accessibility of persons with disabilities have been not eliminated. Moreover, the Committee is concerned that persons with disabilities are not accessing the grants available to them, since they have not been made aware thereof by the State party (art. 2 (2)).

20. **The Committee recommends that the State party:**

(a) **Allocate resources for the implementation of the Sector Policy for Inclusive Education, especially for ensuring access to inclusive education outside urban areas;**

(b) **Implement special measures, as provided for in the Affirmative Action (Employment) Act, to promote the employment of persons with disabilities;**

(c) **Allocate the resources necessary for ensuring accessibility and availability of public goods and services and for the provision of reasonable accommodation to persons with disabilities, in law and in practice;**

(d) **Ensure that persons with disabilities obtain the grants to which they are entitled.**

Non-discrimination

21. The Committee notes with concern that the State party, in its Constitution, prohibits discrimination based on only a limited number of grounds. The Committee is also concerned at the lack of comprehensive legislation that addresses discrimination in all economic, social and cultural rights as, for instance, affirmative actions are permitted only in areas such as employment and land allocation. Moreover, the Committee is concerned that discriminatory provisions are still enforced in the State party, such as the criminalization of sexual relations between consenting adult men (art. 2 (2)).

22. **The Committee recommends that the State party:**

(a) **Expand the grounds for discrimination prohibited in the Constitution to include, among others, marital status, political or other opinion, HIV status, disability, sexual orientation, language, property and birth;**

(b) **Adopt comprehensive anti-discrimination legislation that prohibits both direct and indirect discrimination and provides for the possibility of temporary special measures and remedies for victims;**

(c) **Abrogate all discriminatory legal provisions and, in that regard, decriminalize sexual relations between consenting individuals of the same sex.**

23. **The Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.**

Inequalities

24. The Committee expresses concern at the persistent inequalities in the State party, an upper middle-income country with 15.8 per cent of the population still living in extreme poverty in 2010, in spite of an overall decline in poverty incidence and the implementation of successive national development plans. The Committee is also concerned that the State party's economic and fiscal policies have not significantly reduced the existing inequalities (arts. 2 (1), 2 (2) and 11).

25. **The Committee recommends that the State party:**

(a) **Put into place in the short term, independently of the planned expansion of the social protection systems, a basic income grant for those living in extreme poverty, building on the positive experience of the old age pension, which has become the primary income for a number of disadvantaged households;**

(b) **Include specific targets for the enjoyment of rights by the most disadvantaged and marginalized groups among those targets to be monitored as part of the National Development Plan, in addition to aggregate national objectives;**

(c) **Implement a more redistributive fiscal policy and regularly assess its impact on combating inequalities.**

26. **The Committee draws the attention of the State party to chapter IV on national implementation of its general comment No. 20 (2009).**

Equality between men and women

27. The Committee notes with concern that discriminatory practices that have been outlawed under the civil law, such as those relating to inheritance, still occur, in spite of the State party's established hierarchy of civil law taking precedence over customary law.

28. **The Committee recommends that the State party raise awareness of women's rights as protected by civil law and awareness that certain practices under the customary law contradict human rights. The Committee refers the State party to its general comment No. 16 (2005) on the equal right of men and women to the enjoyment of all economic, social and cultural rights.**

Unemployment

29. The Committee notes with concern the persistently high unemployment, especially among the youth and women, and the large informal economy in the State party, in spite of stable economic growth (art. 6).

30. **The Committee recommends that the State party:**

(a) **Place the realization of the right to decent work at the heart of such policies as the national employment policy and the industrial policy;**

(b) **Prioritize investments in sectors that are labour intensive;**

(c) Undertake urgent reform and diversification of the vocational and technical training offers;

(d) Promote the creation of employment in the formal economy and the regularization of the informal economy by removing regulatory barriers and by supporting small businesses in meeting the cost of social and fiscal contributions;

(e) Provide specialized services to assist and support individuals in identifying and finding available employment;

(f) Improve, as soon as possible, its data collection system on unemployment as a tool for combating that phenomenon effectively, by conducting the labour force survey as frequently as possible and generating data disaggregated by factors related to the most disadvantaged and marginalized groups.

31. **In this regard, the Committee refers the State party to its general comment No. 18 (2005) on the right to work.**

Unemployment and labour flexibility

32. The Committee notes with concern that the labour flexibility envisaged by the State party to encourage employers to create new positions and hire new workers could lead to precarious and insecure employment.

33. **The State party should ensure that amendments to labour legislation intended to introduce flexibility should: (a) be aimed at realizing the right to work; (b) provide effective protection against unfair dismissal; (c) protect the right to just and favourable conditions of work; and (d) prevent the proliferation of insecure work arrangements.**

Minimum wages

34. The Committee notes with concern that the State party does not have a statutory minimum wage applicable to all sectors, in spite of the existence of minimum wages established under collective agreements in four industries (art. 7).

35. **The Committee recommends that the State party introduce a statutory minimum wage, indexed to the cost of living, applicable in all industries, which enables a decent living for workers and their families.**

Safe and healthy working conditions

36. The Committee is concerned that legislation on occupational health and safety in the State party is outdated and rarely enforced in sectors such as the agriculture and maritime sectors (art. 7).

37. **The Committee recommends that the State party:**

(a) Bring its legislation on occupational health and safety into line with international standards, especially in the priority sectors identified in the National Development Plan, namely mining, agriculture, manufacturing and tourism;

(b) Equip the labour inspectorate with the necessary human and financial resources for the effective application of the Labour Act of 2007 and other relevant enactments;

(c) Provide effective remedies for aggrieved workers.

38. **The Committee refers the State party to its general comment No. 23 (2016) on the right to just and favourable conditions of work.**

Right to strike

39. The Committee notes with concern that the Labour Act does not expressly identify the activities defined as essential services, whose workers are not allowed to strike, and that employers can apply to the Minister of Labour to classify a particular activity as an essential service. The Committee is also concerned that workers in the free export zones are not permitted to strike. Moreover, the Committee expresses concern at reports concerning the arrest and detention of teachers and other workers who have exercised their right to strike (arts. 6-8).

40. **The Committee recommends that the State party: (a) expressly enumerate essential services in its legislation; (b) guarantee the right to strike to all workers with the exception of those involved in the delivery of essential services; (c) prevent and punish all acts of reprisals against workers who exercise their right to strike; and (d) release those workers who have been unjustly arrested for exercising their labour rights.**

Social security

41. The Committee is concerned that the State party's social security schemes cover primarily individuals working in the formal economy (art. 9).

42. **The Committee recommends that the State party develop a universal social security system, with a view to achieving full coverage of all the segments of its population, including part-time workers, the self-employed and those working in the informal economy. In that regard, the Committee recommends that the State party consider the establishment of a social protection floor as envisaged in the ILO Social Protection Floors Recommendation, 2012 (No. 202). The Committee refers the State party to its general comment No. 19 (2007) on the right to social security and its 2015 statement on social protection floors.**

Harmful practices

43. The Committee expresses concern that, as customary law governs 80 per cent of marriages in the State party, children are vulnerable to early marriage. The Committee is also concerned that the State party has not yet investigated any of the reports of harmful practices, such as sexual initiation, performed in certain regions of the country, which also involve the humiliation of and violence against of the victims, first drawn to the attention of the State party by the Committee on the Rights of the Child in 2012 (art. 10).

44. **The Committee urges the State party to prevent and outlaw child marriage under customary law, including in the bill on the recognition of customary law marriages. It also urges the State party to investigate all reports of harmful practices and take measures for their abandonment, including culturally sensitive awareness-raising activities. Moreover, the Committee recommends that the State party adopt legislation to criminalize harmful practices, such as sexual initiation, and bring perpetrators to justice.**

Domestic violence

45. The Committee notes with concern that domestic violence and abuse are condoned or tolerated by the majority of the population in the State party. The Committee is also concerned at the limited effectiveness of the Combating Domestic Violence Act of 2003, including on protecting children and victims in rural areas (art. 10).

46. **The Committee recommends that the State party: (a) continue to raise awareness that domestic violence is a serious violation of human rights; (b) monitor**

and assess the impact of the 2005 campaign on gender-based violence and other plans on the population's perception of violence; (c) address the obstacles faced by victims of violence in seeking remedies and obtaining protection as provided for in the Combating of Domestic Violence Act; and (d) take effective measures for bringing perpetrators to justice.

Land rights

47. Without prejudice to the overall objective of the land reforms and the "willing seller – willing buyer" approach, the Committee is concerned that the land reform programme of the State party has not addressed poverty or that security of tenure remains an enduring challenge, as a large number of individual and communal land owners are without title. The Committee is also concerned that many resettled farmers have not able to restore their livelihoods and earn an adequate standard of living, even when support has been provided. Moreover, the Committee is concerned that the Communal Land Reform Act of 2002 has had little effect on women's access to land.

48. **The Committee recommends that the State party take account of the following in the implementation of the resolutions adopted by the Special Cabinet Committee on Land and Related Matters:**

(a) **Streamline land registration procedures and render them affordable and accessible, including in rural and remote areas, and proactively reach out to register communal lands;**

(b) **Work with indigenous peoples on titling of their traditional lands and securing their rights to these lands, to the extent compatible with the rights of others;**

(c) **Increase the resources allocated to the acquisition of land for resettlement;**

(d) **Engage in meaningful consultation processes with individuals and groups concerned prior to and during the resettlement;**

(e) **Assist resettled farmers, beyond the provision of infrastructure such as fencing and land servicing, in restoring their livelihoods and lifting them out of poverty, and monitor the situation of resettled farmers;**

(f) **Ensure, in the case of indigenous peoples, that the resettled groups lead and design the process and are provided with support during the rebuilding of their communities;**

(g) **Ensure that the Communal Land Reform Act is implemented, so that widows can remain on communal land allocated to their deceased husbands;**

(h) **Enact the Land Bill of 2010 in order to enhance the protection of communal lands;**

(i) **Urgently address the excessive prices of land, including in urban areas.**

49. The Committee is concerned at the practice of illegal fencing of communal land, which deprives individual and communities of their means of livelihood until settlements on access are reached or the fences are brought down. The Committee is also concerned that remedies are not available when the building of such fences has been authorized by the Communal Land Board or traditional authorities while the owners do not a have legal title to the land (art. 11).

50. **The Committee recommends that the State party:**

(a) **Put into place a programme to support the livelihood of victims of illegal fencing until the settlement of disputes on access;**

(b) **Improve settlement mechanisms with a view to accelerating the resolution of illegal fencing disputes;**

(c) **Fight against corruption and influence peddling in land allocation;**

(d) **Apply deterrent sanctions as a means of prevention of illegal fencing and ensure that victims are adequately compensated.**

Right to food and rural development

51. The Committee notes with concern that many households are food insecure. The Committee notes with concern that this is exacerbated by the high level of unemployment and poverty in the rural areas, including among farmers, in spite of the measures taken, such as the application of low interest rates by Agribank (arts. 7 and 11).

52. **The Committee recommends that the State party continue to deliver food assistance to ensure that everyone is free from hunger. It also recommends that the State party address food insecurity through agrarian reform and rural development, in consultation with the Namibian National Farmers Union. The Committee urges the State party to:**

(a) **Develop agricultural and rural vocational training programmes in rural areas;**

(b) **Improve access to credit, including by making procedures more accessible, taking into account the level of informality in rural areas, and collect data on loans awarded by Agribank;**

(c) **Put into place a programme of subsidies for rural households and small-scale farmers;**

(d) **Support the functioning of local markets, including through the development of processing facilities in the fresh produce business hubs;**

(e) **Involve small-scale farmers in the supply of food for the School Feeding Programme.**

53. **In that regard, the Committee refers the State party to its general comment No. 12 (1999) on the right to adequate food and to the Voluntary Guidelines to Support the Progressive Realizatior of the Right to Adequate Food in the Context of National Food Security.**

Poverty

54. The Committee is concerned about the high rates of poverty in the State party, especially in the rural areas and among children, in spite of the implementation of poverty reduction programmes (art. 11).

55. **The Committee recommends that the State party address the problem of poverty by adopting specific measures targeting rural areas and children. In that regard, the Committee draws the attention of the State party to its 2001 statement on poverty and the Covenant.**

Right to adequate housing

56. The Committee, in spite of the National Mass Housing Development Programme, is concerned at the acute shortage of affordable housing in the State party. The Committee also expresses concern that a quarter of the State party's population lives in poor-quality housing in informal settlements without security of tenure or access to water, electricity and sanitation facilities, in spite of the investment of resources in land-servicing in urban areas (art. 11).

57. **The Committee recommends that the State party adopt immediate measures to alleviate the acute shortage of affordable housing, including that it:**

(a) **Invest further in land-servicing and upgrading of informal settlements wherever habitability and access to water and sanitation may be secured;**

(b) **Accelerate the process for conferring legal security of tenure to those currently lacking such protection, in genuine consultation with affected persons and groups, including informal settlement dwellers;**

(c) **Ensure that titles granted under the Flexible Land Tenure System guarantee security of tenure;**

(d) **Expedite the adoption of amendments to the Consumer Protection Bill to protect tenants against unreasonable rent levels;**

(e) **Eliminate the resources and procedure-related bottlenecks of the Build Together Programme;**

(f) **Assess the impact of existing housing subsidies on the enjoyment of the right to adequate housing by the most disadvantaged and marginalized individuals and groups.**

58. **The Committee refers the State party to its general comment No. 4 (1991) on the right to adequate housing.**

Forced evictions

59. The Committee notes with concern that forced evictions carried out by the State party have rendered a number of informal settlement dwellers and tenants in rent arrears homeless (art. 11).

60. **The Committee recommends that the State party bring its enactments and practices on forced evictions into line with international standards, especially those on due process. The Committee also urges the State party to cease all forced evictions that may render individuals homeless or vulnerable to the violation of other human rights. The Committee draws the attention of the State party to its general comment No. 7 (1997) on forced evictions and the basic principles and guidelines on development-based evictions and displacement.**

Rights to water and sanitation

61. While noting with appreciation the State party's rights-based water and sanitation policy, the Committee is concerned that the responsibility for collecting water in rural areas falls mostly on women and girls, who have to walk a long distance to access water points. The Committee is also concerned at the rising number of persons who cannot afford to pay their bills and that a large proportion of the population does not have access to adequate sanitation (arts. 11 and 12).

62. **The Committee recommends that the State party:**

(a) **Take effective measures in rural areas to reduce the distance to water points;**

(b) **Consider revising the water tariff in favour of the disadvantaged and marginalized individuals and groups;**

(c) **Urgently deploy resources to provide access to improved sanitation in informal settlements, rural areas and schools and raise awareness of the threat to health posed by open defecation;**

(d) **Establish an independent regulatory system to monitor water and sanitation service provision.**

63. **The Committee refers the State party to its general comment No 15 (2002) on the right to water and its 2010 statement on the right to sanitation.**

Right to health

64. While noting with appreciation the statement by the delegation that no one could be refused health-care services because of an inability to pay, the Committee is nonetheless concerned at high maternal and infant mortality rates among low-income groups. Moreover, the Committee expresses concern at the limited availability of health services in rural and remote areas, in spite of improvement in access achieved during recent years. The Committee also expresses concern at the inequality in access to quality health services, with services of better quality in private facilities (art. 12).

65. **The Committee recommends that, while implementing the National Health Policy Framework 2010-2020, the Namibia Child Survival Strategy 2014-2018 and other relevant policies, the State party:**

(a) **Ensure that the increase in the allocation and use of funding to improve access to the health system bridges the gap in health outcomes, such as declining infant and maternal mortality rates, between the wealthiest and the most disadvantaged groups;**

(b) **Invest in improving access to quality health services, including secondary health care, for those in rural and remote areas.**

66. **The Committee draws the attention of the State party to its general comment No. 14 (2000) on the right to the highest attainable standard of health.**

Sexual and reproductive health

67. While noting the progress achieved, the Committee is concerned that, although HIV/AIDS remains an underlying cause of mortality for a certain number of diseases, 15 per cent of individuals living with HIV/AIDS still do not have access to antiretroviral treatment and 35 per cent of HIV-positive pregnant women have not received treatment. The Committee is also concerned that the procedures in place requiring written consent prior to sterilization have not prevented sterilization being performed on non-consenting women (art. 12).

68. **The Committee recommends that, while implementing the National Policy on Sexual, Reproductive and Child Health, the State party take the following into account: (a) focus efforts on delivering services to the HIV-positive individuals who currently do not have access to antiretroviral treatment; (b) make condoms available in prisons to further efforts to contain the spread of HIV/AIDS; (c) implement measures for clearly defining the requirement of free, prior and informed consent**

with regard to sterilization, as recommended by the Committee on the Elimination of Discrimination against Women; and (d) raise awareness among medical personnel of that requirement. In that regard, the Committee refers the State party to its general comment No. 22 (2016) on the right to sexual and reproductive health.

Substance abuse

69. The Committee expresses concern at the significant prevalence of alcohol consumption and drug use among school-aged children (art. 12).

70. **The Committee urges the State party to take measures for the prevention of substance abuse among children and to provide children concerned with access to treatment for alcohol and drug addiction.**

Right to education

71. The Committee notes that, in spite of near-universal enrolment at the primary level of education, some individuals belonging to certain groups, such as indigenous peoples and those living in rural and remote areas, still do not have access to education. Moreover, the Committee also notes with concern that the capacity of schools, including for early childhood education, has not followed pace with the increased enrolment. Moreover, the Committee also notes with concern the relatively high rate of school dropout. The Committee is further concerned that the system of voluntary contributions by parents may perpetuate or even aggravate inequality in access to quality education, as those schools in more affluent areas will be able raise more resources (arts. 13 and 14).

72. **The Committee recommends that particular attention and resources continue to be devoted to those who do not enjoy their right to education, including early childhood education, in spite of the focus of the State party's education policy on developing a high-quality education system. In that regard, the Committee recommends that the State party continue to develop the school feeding and the satellite and mobile schools programmes and to monitor their impact on the enjoyment of the right to education of the most marginalized groups. The Committee also recommends that the State party address the root causes of school dropout. Furthermore, it recommends that the State party allocate resources to ensure equal access to quality education. The Committee refers the State party to its general comment No. 13 (1999) on the right to education.**

Cultural rights

73. While noting the State party's plan to introduce teaching in children's home language, the Committee regrets the lack of information on other measures taken to promote the cultural rights of the groups contributing to the State party's cultural diversity, especially in the light of reports of discriminatory attitudes towards children from certain groups (art. 15).

74. **The Committee recommends that the State party: (a) promote the culture of the various groups that make up its population, including by teaching their histories and culture in school; (b) promote the preservation of the traditional way of life of the various ethnic and language groups; (c) combat prejudice and eliminate discrimination; and (d) provide not only teaching in children's home language but also curricula and school environments that are culturally appropriate. The Committee refers the State party to its general comment No. 21 (2009) on the right of everyone to take part in cultural life.**

D. Other recommendations

75. **The Committee encourages the State party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.**

76. **The Committee recommends that the State party ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment.**

77. **The Committee recommends that the State party incorporate the recommendations contained herein in a future version of the National Human Rights Action Plan 2015-2019, with clear targets, timelines and resources.**

78. **The Committee recommends that the State party take steps to progressively develop and apply appropriate indicators on the implementation of economic, social and cultural rights. In that context, the Committee refers the State party to, inter alia, the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights (see HRI/MC/2008/3).**

79. **The Committee invites the State party to seek assistance from the Office of the United Nations High Commissioner for Human Rights for the implementation of the present recommendations.**

80. **The Committee requests the State party to disseminate the present concluding observations widely at all levels of society, particularly among parliamentarians, public officials and the judicial authorities, and to inform the Committee in its next periodic report of the steps taken to implement them. It also encourages the State party to engage non-governmental organizations and other members of civil society in the process of discussion at the national level prior to the submission of its next periodic report.**

81. **The Committee requests the State party to submit its second periodic report, to be prepared in accordance with the reporting guidelines adopted by the Committee in 2008 (E/C.12/2008/2), by 31 March 2021.**